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Thomas S Ferrill Blakely Sokoloff Taylor & Zafman LLP Seventh Floor 12400 Wilshire Boulevard Los Angeles, CA 90025-1026			HAN, QI	
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			2654	

DATE MAILED: 03/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/675,907

Applicant(s)

BENNETT, STEVEN M.

Examiner

Qi Han

Art Unit

2654

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 November 2004.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 30-59 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 30-35, 37-59 is/are rejected.  
7) ☒ Claim(s) 36 is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 09/20/2004.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

#### ***Response to Amendments***

2. This communication is responsive to the applicant's amendment dated 11/22/2004. Applicant cancelled claims 1-29 and added new claims 30-59 (pages 3-7).

The examiner withdraws claim objection and claim rejection regarding claims 1-29, since applicant made cancellation of all previous claims.

Since the applicant cancelled all previous claims, the new added claims would be under new ground rejection in this office action (see below).

#### ***Specification***

3. The disclosure is objected to because of the following informalities:  
On page 17, lines 6-8, the ending parenthesis is missing. Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

Art Unit: 2654

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 37-38, 50 and 56 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Regarding claim 37, the limitation of “**a least intrusive method of communication**” in line 4 is not commonly used terms in the art and neither clearly defined in the specification. Therefore, the claim contains subject matter that was not described in the specification in such a way as to enable one skilled in the art to make and/or use the claimed invention, without undue effort.

Regarding claim 38, it depends on claim 38 and inherits all limitations of its parent claim including the limitation that has enablement problem.

Regarding claim 50, it recites, “wherein **a grammar file** is generated by... (four steps)” and depends on claim 48, which recites “a method for obtaining information”. However, the claimed grammar file lacks incorporation with the steps of its parent claim. Further, it is unclear what relationship is between the terms “**an item**” in line 2 of this claim and the term “[the] **user item**” in claim 48, and what relationships are among the terms of “**a grammar file**” in line 1, “**a static grammar file**” in line 6 and “**a customized grammar file**” in line 7 of this claim. These confused claim items were not described in the specification in such a way as to enable one skilled in the art to make and/or use the claimed invention, without undue effort.

Art Unit: 2654

Regarding claim 56, the rejection is based on the same reason described for claim 50 (see above), because the claim has same or similar limitation as claim 50.

5. Claims 51-52 and 57-58 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Regarding claim 51, the limitation “**prior to enabling a user to connect to a voice processing system, proactively contacting the user ...without the user initiating communication with voice processing system**” introduces new subject matter(s), which is not disclosed in the specification (see the closest disclosure in the specifications, page 16, line 17 to page 17, line 5, and Fig. 4).

Regarding claim 57, the rejection is based on the same reason described for claim 51 (see above), because the claim recites same or similar limitation(s) as claim 51.

Regarding claims 52 and 58, they depend on the claims 51 and 57 respectively and inherit all limitations of their parent claim(s) respectively.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Art Unit: 2654

6. Claim 48, 54 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 48 and 54 recite the limitation “**the** environmental information” in line 4 and “**the** user items” in line 5. There are insufficient antecedent basis for these limitations in the claim(s).

***Claim Rejections - 35 USC § 103***

7. Claims 30-32 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Woods et al. (US 6,510,417 B1), hereinafter referenced as Woods.

Regarding **claim 30**, Woods discloses system and method for voice access to internet-based information (title), comprising:

a voice user interface to enable a user to interact with the system using a communication device, (Figs. 1-2 and column 6, lines 31-58 and Figs.1-3, ‘voice portal 10 includes a user interface’ that ‘coordinates voice communications between voice portal 10 and the user’ and ‘can be either via speech, via internet or “world wide web”, via a wireless application protocol’);

a database to store user-specific contextual information and heterogeneous information, (Fig. 5 and column 2, lines 30-37, ‘database... stores information regarding users’; column 13, lines 10-11, ‘the generic preference class contains information... “traffic”, “weather”, and “movies” (interpreted heterogeneous information)’); and

a top database table, wherein the top database table is generated from the database, wherein items in the top database table are assigned a priority [level] based upon the user-specific contextual information, (Figs. 4-6 and column 12, lines 60-63, ‘vertical classes’(broadly

Art Unit: 2654

interpreted as top database table); column 29, lines 30-67, 'list (also corresponding to the top database table) of possible advertisements (items) is re-ordered (generated) on sales criteria factors (broadly interpreted as the user-specific contextual information)', 'a ratio is calculated to prioritize the advertisements', 'this ratio accounts for advertisements that should be played soon (lower denominator-> higher ratio)', wherein the ratio reflects the claimed priority level);

wherein content is communicated to the user when the user requests information or when the system intelligently chooses to present information to the user based on the priority [level] assigned to information in the top database table, (Figs. 36A-36B and column 29, lines 65-67, 'the advertisement (content) is chosen (intelligently chosen) on the highest ratio available in the list (based on the priority)').

Woods does not expressly disclose that the items "**are assigned a priority level**" in the "a top database table". However, the similar feature is well known in the art as evidenced by Woods himself, who teaches calculating a ratio for prioritizing the Ads (items) and using the ratio as the determining factor for ordering/re-ordering the list of possible Ads (column 29, lines 30-67). Therefore, it would have been obvious to one of ordinary skill in the art at time the invention was made to use Woods's ratio as a priority level to associate (assigned to) an Ads (items), so that an Ads with higher ratio would be ordered in favor to be chosen sooner (Wood: column 29, lines 59-67).

Regarding **claim 31** (depending on claim 30), Woods further discloses that:

"the system dynamically changes the voice user interface and content communicated to the user", (column 9, line 24 through column 10, line 3, 'support personalization features to improve customers experience with the service', 'to support any adaptation of service to

Art Unit: 2654

customer behavior', 'preferences are dynamic, changing based on user's actions', 'user are able to override all passive preferences'), based on:

"the user-specific contextual information", (column 9, lines 35-36, 'personalization features', column 9, lines 64, 'vertical preference'),

"environmental information", (column 13, lines 32-35, 'information, such as the type of interface platform (e.g. WWW, WAP, ASR) (environment)'),

"a sensitivity level of the information being communicated", (column 8, lines 51-62, 'system allows for an additional level of identification before authorizing a purchase', which suggest that the purchase has higher sensitivity level for communicating the information), and

"the priority level assigned to the information being communicated", (column 29, lines 30-67, 'a ratio (corresponding to priority level) is calculated to prioritize (assign) the advertisements (the information) on which should be delivered (communicated) first').

Regarding **claim 32** (depending on claim 30), Woods further discloses "the voice user interface to characterize channel characteristics of the communication device of the user and to compare the channel characterization of the communication device to channel characteristics of classes of devices stored in the database", (column 13, lines 17-48, 'session class records the information directly about a user's session', 'analysis on whether the user made a call from a landline, or cell phone is specific to phone sessions' and 'the type of interface platform (e.g., WWW, WAP, ASR)', which suggesting the system has capability of implementing the functionality as claimed).

Regarding **claim 41** (depending on claim 30), Woods further discloses "the voice user



Art Unit: 2654

interface to analyze a voice of the user to authenticate and verify the identity of the user” (column 24, lines 46-48, ‘the user then response verbally (voice) ... to give his or her PIN’, ‘once authentication is made...’, which necessarily analyzes the voice and verifies the identity of the PIN).

8. Claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over Woods as applied to claim 30, and in view of Brown et al. (US 6,574,601 B1), hereinafter referenced as Brown and Lewis et al. (US 6,324,499 B1) hereinafter referenced as Lewis.

Regarding **claim 33** (depending on claim 30), Woods does not expressly disclose “estimate audio scene characteristics associated with a current location of the user” However, this feature is well known in the art as evidenced by Brown who discloses an acoustic speech recognition recognizer system and method (title), comprising a speech energy level estimator and a background energy level estimator for detecting (estimating) ‘a speech endpoint’ and ‘the background noise’ (audio scene characteristics)’ (column 3, lines 44-51). Therefore, it would have been obvious to one of ordinary skill in the art at time the invention was made to modify Woods by specifically providing estimating speech energy and background energy levels, as taught by Brown, for the purpose of avoiding badgering of the speech processor (Brown: column 1, lines 39-40).

Further, Woods in view Brown does not expressly disclose “to compare the audio scene characterization to audio scenes stored in the database”. However, this feature is well known in the art as evidenced by Lewis who discloses noise recognition for speech recognition systems (title), comprising mapping (comparing) frequent randomly occurring noises such as background

Art Unit: 2654

office noise (audio scene) or personal noises, recoding noises, identifying certain non-speech sound (column 1, line 56 through column 2, lines 30). Therefore, it would have been obvious to one of ordinary skill in the art at time the invention was made to modify Woods in view of Brown by specifically providing mapping background noise (audio scene), as taught by Lewis, for the purpose of preventing randomly occurring noise to be interpreted as a spoken word (Lewis: column 1, lines 64-65).

9. Claim 34-35 and 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Woods as applied to claim 30, and in view of Brown.

Regarding **claim 34** (depending on claim 30), Woods does not expressly disclose “interface to detect a sound level of a user's voice and if the sound level is above a barge-in threshold level, the voice user interface to stop generating sound to enable better recognition of the sound that is being received by the system”. However, this feature is well known in the art as evidenced by Brown who discloses ‘a speech (sound) energy level estimator’ for detecting ‘a speech onsets’ (column 3, lines 44-52), and ‘adaptively increasing or boosting the threshold by which the speech levels exceeding the background noise, the synthetic speech is treated as background noise while the barge-in speech is considered the speech to be processed’ (column 3, lines 56-60). Therefore, it would have been obvious to one of ordinary skill in the art at time the invention was made to modify Woods by specifically providing detecting speech energy (sound) level and using barge-in mechanism with barge-in thresholds, as taught by Brown, for the purpose of avoiding badgering of the speech processor (Brown: column 1, lines 39-40).

Art Unit: 2654

Regarding **claim 35** (depending on claim 34), Woods in view Brown further disclose “environmental information and the user-specific contextual information is used to determine barge-in threshold levels to reduce false barge-in occurrences” (Brown: column 8, lines 14-65: ‘signal energy level estimate  $s(k)$ ’, ‘noise level estimate level  $tn(k)$  (environmental information)’, and multiple thresholds, which suggests the combined system has capability of implementing the functionality as claimed).

Regarding **claim 47** (depending on claim 31), Woods further discloses:

“details of the communication device of the user”, (column 13, lines 44-45, ‘different platform (i.e. Phone, WAP, WWW)’ (device));

details of a communication channel used by the user to communicate with the system, (column 13, lines 44-45, ‘the session (communication session) may be a call, a search through the website, or a call using the WAP’, which reflects using different communication channel).

But, Woods does not expressly disclose “audio scene information”. However, this feature is well known in the art as evidenced by Brown who discloses a speech energy level estimator and a background energy level estimator for detecting ‘a speech endpoint’ and ‘the background noise’ (column 3, lines 44-51), which reads on audio scene information. Therefore, it would have been obvious to one of ordinary skill in the art at time the invention was made to modify Woods by specifically providing a backgrounds energy (as audio scene information), as taught by Brown, for the purpose of avoiding badgering of the speech processor (Brown: column 1, lines 39-40).

Art Unit: 2654

10. Claims 39-40, 42, 44-45, 48-49, 51-52, 54-55 and 57-58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Woods in view of Alpdemir (US 2002/0035474 A1).

Regarding **claim 39** (depending on claim 30), even though Woods discloses that “anticipated responses based on prompted options made available to the user”, (Fig. 40 and column 38, lines 15-27, ‘voice portal provide a prompt’ and the related ‘options’ based on the interaction context), Woods does not expressly disclose “the voice user interface to generate grammar files”. However, this feature is well known in the art as evidenced by Alpdemir who discloses an acoustic speech recognition recognizer system and method (title), comprising the grammar files that are compiled (generated) to create a grammar library and providing for “dynamic grammars” (paragraphs 188-200). Therefore, it would have been obvious to one of ordinary skill in the art at time the invention was made to modify Woods by specifically providing a mechanism for generating grammar file, as taught by Alpdemir, for the purpose of providing dynamic grammars (Alpdemir: paragraph 200).

In addition, Woods discloses rule (herein interpreted as grammar) writers 1010 to select from a variety of forms provided by data organizing tool 1025 to use in the retrieval of information from particular web sites (column 17, lines 6-17, Figs 10 and 27), which also corresponds to the claimed “generate grammar files”, by a broader view of Woods’ teaching and interpretation of the claim.

Regarding **claim 40** (depending on claim 30), Woods does not expressly disclose “the voice user interface to generate customized grammar files for complex interactions between the system and the user”. However, this feature is well known in the art as evidenced by Alpdemir teaches the grammar files that are compiled (generated) to create a grammar library and

Art Unit: 2654

providing for “dynamic grammars” (paragraphs 188-200), and ‘the inventive software and system configuration used in conjunction with ...customized voice recognition features’ (paragraph 171). Therefore, it would have been obvious to one of ordinary skill in the art at time the invention was made to modify Woods by specifically providing a mechanism for generating grammar file in conjunction with customized features, as taught by Alpdemir, so as to generate customized grammar file for the system, for the purpose of providing dynamic grammars (Alpdemir: paragraph 200).

Regarding **claim 42** (depending on claim 41), Woods does not expressly disclose “to compare the voice of the user with a voice print previously obtained from the user, to provide a confidence level in the authenticity of the identification of the user, and if the confidence level is above a predetermined threshold, to indicate that the identification of the user is verified by the system”. However, this feature is well known in the art as evidenced by Alpdemir who teaches ‘voice recognition’ using ‘previously stored authentic voice print of the business user’ (paragraph 212), wherein an acceptance or denial measurement (confidence level) is necessarily included. Therefore, it would have been obvious to one of ordinary skill in the art at time the invention was made to modify Woods by specifically providing voice recognition using authentic voice print, as taught by Alpdemir, for the purpose of providing optional authentic feature based on user type and commutation condition (Alpdemir: paragraph 212).

Regarding **claim 44** (depending on claim 43), Woods does not expressly disclose “to determine a security and privacy rating for a communication to a user based upon environmental information of the user”. However, this feature is well known in the art as evidenced by Alpdemir who discloses that ‘voice recognition can be used to authenticate the business user in

Art Unit: 2654

addition to... the password depending on the quality of the speech recognition technologies used and the quality of the line or other communication line[g] (based on environmental information) connecting the business user to the system at the time (paragraph 212), which suggests using environmental information to determine one of different ways that reflect security and/or privacy ratings for the communications. Therefore, it would have been obvious to one of ordinary skill in the art at time the invention was made to modify Woods by specifically providing environmental information to determine one of ways (reflecting security and/or privacy rating) for the communication, as taught by Alpdemir, for the purpose of providing additional verification information accordingly (Alpdemir: paragraph 212).

Regarding **claim 45** (depending on claim 44), Woods in view of Alpdemir further discloses “if the environmental information of the user indicates a low security rating, the system to dynamically alter the voice user interface to require additional authentication responses from the user”, (Woods: column 8, lines 59-62, ‘allows for an additional level of identification’; Alpdemir: paragraph 212, using ‘voice recognition ...in addition to ...password depending on quality of the line (environmental information)...’; which suggests the combined system has capability of implementing the functionality as claimed).

Regarding **claim 48**, as best understand in view of the rejection under 35 USC 112 2<sup>nd</sup> (see above), Woods discloses a system and method for voice access to internet-based information (title), comprising:

enabling a user to connect to a voice processing system and provide identification (Figs. 1-2 and column 6, lines 31-58 and Figs. 1-3, ‘voice portal 10 includes a user interface’ that

Art Unit: 2654

‘coordinates voice communications between voice portal 10 and the user’; column 8, lines 51-55, ‘indemnification key’, ‘PIN’);

authenticating the identification of the user, (column 8, lines 51-55, ‘indemnification key’, ‘PIN’);

proactively presenting to [the] user items from a top database table assigned a high enough priority to require urgent attention from the user if any of the items need urgent attention, (Fig. 5 and column 2, lines 30-37, ‘database... stores information regarding users’; Figs. 4-6 and column 29, lines 30-67, ‘list (corresponding to the top database table) of possible advertisements (items) is re-ordered (generated)’, ‘a ratio is calculated to prioritize the advertisements’, ‘this ratio accounts for advertisements that should be played soon (require urgent attention) (lower denominator-> higher ratio)’); and

passively interacting with the user to provide the user with information requested by the user, (column 9, lines 64-67, ‘vertical preferences (information requested) should be passively set based on user’s actions’).

Woods does not expressly disclose “determining [the] environmental information of the user”. However, this feature is well known in the art as evidenced by Alpdemir who discloses that voice recognition can be used to authenticate the business user in addition to the password depending on the quality of the speech recognition technologies used and the quality of the line or other communication line (environmental information) connecting the business user to the system at the time (paragraph 212). Therefore, it would have been obvious to one of ordinary skill in the art at time the invention was made to modify Woods by specifically providing

environmental information of user, as taught by Alpdemir, for the purpose of providing additional verification information (Alpdemir: paragraph 212).

Regarding **claim 49** (depending on claim 48), the rejection is based on the same reason described for claim 39, because the claim recites same or similar limitation(s) as claim 39.

Regarding **claim 51** (depending on claim 48), as best understand in view of the rejection under 35 USC 112 1<sup>st</sup> (see above), Woods further discloses ‘actively requesting preferences from the user’ (column 41, lines 44-46), ‘the advertisement is chosen based on the highest ratio available in the list (database table)’ (column 29, lines 65-67) and ‘the capability of barge-in’ and ‘the capability to prevent barge-in’ for the Ads (column 33, lines 23-39), which suggests that the combined system has capability of implementing the functionality as claimed “proactively contacting the user regarding an urgent item ...”.

Regarding **claim 52** (depending on claim 51), Woods further discloses “at least one of calling the user's phone, emailing the user, sending an instant message to the user's cell phone, or leaving a voice mail on the user's phone actively requesting preferences from the user”, (column 32, lines 1-17), ‘speak-throughs collect an email address or a custom phone number to provide to the advertiser to send more relevant information to the customer’).

Regarding **claims 54-55, 57-58**, they recite an article. The rejection is based on the same reason described for claims 48-49 and 51-52 respectively, because the claims recite same or similar limitation(s) as claims 48-49 and 51-52 respectively.

11. Claim 43 is rejected under 35 U.S.C. 103(a) as being unpatentable over Woods as applied to claim 30, in view of Saylor et al. (US 6,792,086 B1) hereinafter referenced as Saylor.



Regarding **claim 43** (depending on claim 30), Woods teaches using ‘additional level (higher security level) of identification’ for a purchase (column 8, lines 59-62), which suggests treating different level in different way, which broadly reads on the claimed “to mark the information in the database with a security level”. But, Woods does not expressly disclose “to mark the information in the database with a privacy level”. However, this feature is well known in the art as evidenced by Saylor who discloses voice network access provider system and method (title), comprising database information, in which ‘the user may mark an entry as being “public,” “reveal on conform,” “reveal on authorize” or “private” ’(column 27, lines 216-25), which reads on a privacy level. Therefore, it would have been obvious to one of ordinary skill in the art at time the invention was made to modify Woods by specifically providing marking database information with privacy value, as taught by Saylor, for the purpose of providing different visibility of individual content (Saylor: column 27, lines 20-25).

12. Claim 46 is rejected under 35 U.S.C. 103(a) as being unpatentable over Woods as applied to claim 30, in view of Surace et al. (US 6,334, 103 B1) hereinafter referenced as Surace.

Regarding **claim 46** (depending on claim 30), Woods further discloses user-specific contextual information comprises:

“an identity of the user” (Fig.5, ‘customer’, ‘PIN’);

a current location of the user (column 10, lines 21, ‘a current call location’);

a current task of the user (Fig.5 and , ‘preference’ ‘status’, which corresponds to a current task when a preference is performed).

But, Woods does not expressly disclose “a calendar of the user; and a schedule of the user”. However, this feature is well known in the art as evidenced by Surace who discloses that ‘the system allows subscriber (user)...to setup a calendar, make appointment, ... schedule a new appoint in a calendar’ (column 16, lines 21-25), which necessarily includes storing the corresponding information for the user. Therefore, it would have been obvious to one of ordinary skill in the art at time the invention was made to modify Woods by specifically providing user information regarding schedule and calendar, as taught by Surace, for the purpose of providing a voice user interface with personality (Surace: column 1, lines 55-56).

13. Claims 53 and 59 are rejected under 35 U.S.C. 103(a) as being unpatentable over Woods in view of Alpdemir as applied to claims 48 and 54, and further in view of Brown.

Regarding claim 53 (depending on claim 48), the rejection is based on the same reason described for claim 34, because the claim recites same or similar limitation(s) as claim 34.

Regarding claim 59 (depending on claim 54), the rejection is based on the same reason described for claim 53, because the claim recites same or similar limitation(s) as claim 53.

#### ***Allowable Subject Matter***

14. Claim 36 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is an examiner’s statement of reasons for the allowable subject matter:

Art Unit: 2654

Regarding **claim 36**, the instant application is directed to a voice information system. This dependent claim, combining all well known features of its parent claim, identifies the uniquely distinct features that: when the system intelligently chooses to present information to the user based on the priority level assigned to the information in the top database table, the voice user interface to notify the user by directly phoning the user when the system intelligently recognizes that a high priority item from the top database table requires immediate attention by the user.

The prior art of record, Woods et al. (US 6,510,417 B1), Brown et al. (US 6,574,601 B1), Lewis et al. (US 6,324,499 B1), Alpdemir (US 2002/0035474 A1), Saylor et al. (US 6,792,086 B1), and Surace et al. (US 6,334, 103 B1), provided numerous teachings of alternating techniques and methods for voice interface to access internet-based information, including multiple user/customer preferences in database, dynamic grammar generation, voice user interface with personality, voice interactive interface and voice portal with speech recognition and text-to-speech feature, communication with authentic and security identification/verification. However, the features presented above, are not anticipated by, nor made obvious over the prior art of the record.

### ***Conclusion***

15. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

Art Unit: 2654

16. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

17. Please address mail to be delivered by the United States Postal Service (USPS) as follows:

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Qi Han whose telephone numbers is (703) 305-5631. The examiner can normally be reached on Monday through Thursday from 9:00 a.m. to 7:00 p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil, can be reached on (703) 305-6954.

Art Unit: 2654

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Inquiries regarding the status of submissions relating to an application or questions on the Private PAIR system should be directed to the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or 703-305-3028 between the hours of 6 a.m. and midnight Monday through Friday EST, or by e-mail at: [ebc@uspto.gov](mailto:ebc@uspto.gov). For general information about the PAIR system, see <http://pair-direct.uspto.gov>.

QH/qh

February 28, 2005

A handwritten signature in black ink, appearing to read "David D. Knepper", with a stylized flourish at the end.

**DAVID D. KNEPPER**  
**PRIMARY EXAMINER**